

U. S. DEPARTMENT OF COMMERCE
TELEWORK PROGRAM



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BACKGROUND

Telework refers to paid employment performed away from the conventional office, either at home or at an alternative office site, for an agreed-upon portion of the workweek. Telework should not be confused with home-based businesses or independent contractor arrangements in the home. It also differs from situations where employees permanently work out of their home, traveling daily to clients or audit and inspection sites on premises not controlled by their employers. Telework is also known as telecommuting, flexiplace, and work-at-home.

The 2001 Department of Transportation appropriations measure, which became law in October 2000 (Public Law 106-346), requires agencies to establish policies allowing eligible employees to telework “to the maximum extent possible without diminishing employee performance.” The law also directs OPM to ensure that the requirement applies to at least twenty-five percent of the Federal workforce within six months, and to an additional twenty-five percent each year thereafter.

POLICY

Telework Implementation Plans. In accordance with Section 359 of Public Law 106-346, it is the DOC policy to allow eligible employees to work at sites away from their official workplaces during all or a portion of their regular workweek. To implement this policy to the fullest extent possible, the Department’s bureaus and operating units will each establish a telework implementation plan that

- provides a minimum of twenty-five percent of eligible employees to telework by October 2001, followed by an additional twenty-five percent each year for the next three years;
- specifies the types of positions or duties within positions that are suitable and eligible for telework;
- authorizes the expenditure of funds to cover expenses associated with approved telework arrangements, subject to funding availability and managerial discretion;
- establishes a process for approving telework arrangements;
- provides for orienting new teleworkers and their supervisors regarding the program and their responsibilities; and
- establishes procedures for administering and evaluating the telework program in their organizations.

Approving Official. Telework implementation plans will identify the official(s) in each organization who will be authorized to approve telework arrangements. Approving officials must be at a sufficiently

high level within the organization to ensure adequate review and control. Where that official is someone other than an employee's immediate supervisor, the supervisor must concur regarding the duties to be performed at the alternative worksite and the employee's eligibility to participate.

Voluntary Participation. Employee participation in telework is voluntary and employees may terminate their participation at any time. While telework is a management option, organizations may not direct or coerce employees to participate. Written agreements documenting the terms and conditions of regularly scheduled telework arrangements will be drafted and maintained in accordance with the telework implementation plan.

Modification and Termination. Telework is a management option rather than an employee benefit and does not change the terms and conditions of employment. The operational needs of the bureau/operating unit are paramount. Employees who telework do not have an automatic right to continue to telework. Telework arrangements may be modified, adjusted, or terminated at any time deemed necessary by management or when requested by an employee. Management has the right at any time to end an employee's use of telework, if, for example, the employee's performance declines or if the arrangement no longer meets the organization's needs. Participation in telework will be terminated when the employee no longer meets the eligibility criteria.

Management shall provide sufficient notice, when feasible, before modifying or terminating a telework agreement to allow the affected employee to make necessary arrangements. The reason for termination will be documented in a termination agreement (see sample Termination Form on page 22) signed by the approving official and furnished to the affected employee. Consent or acknowledgment via signature by the terminating employee is not required for the termination to take effect.

Equal Opportunity. Participation in telework is open to all eligible employees without regard to race, color, gender, religion, national origin, marital status, age, disability, or sexual orientation.

Standards of Conduct and Ethics. Employees who telework are expected to comply with the DOC standards of conduct and ethics contained in Departmental Administrative Order (DAO) 202-735-A, while working at the alternate work site. DAO 202-735-A is available at <http://www.osec.doc.gov/omo/daos/202-735a.htm>. Failure to comply may result in termination of the telework agreement and disciplinary action for misconduct.

Labor-Management Relations. In organizations where employees are represented by a labor organization accorded exclusive recognition, management is obligated to notify the labor organization of its intent to implement this policy and negotiate in good faith, as appropriate. Organizations are encouraged to involve labor unions at the earliest stages of planning and implementation. Nothing in this policy shall abrogate or override any collective bargaining agreements in effect on the date this policy is issued.

SCOPE

The provisions of this document apply to all supervisory and non-supervisory employees participating in the DOC Telework Program. They do not apply to employees serving probationary or trial periods, nor for student interns unless an exception is authorized by the DOC Office of Human Resources Management (OHRM) based on operational need. For purposes of telework, the alternate work site is considered to be an official Government work site. The conventional work site will continue to be the official duty station of an employee who teleworks.

PROGRAM OVERSIGHT AND RESPONSIBILITIES

OHRM is responsible for Departmental oversight of the DOC Telework Program and any reporting requirements to OPM. OHRM shall approve and monitor the various implementation plans to assure consistency across the bureaus and operating units in the implementation of the DOC telework program. OHRM shall periodically review telework approvals and disapprovals to ensure consistency of application, direct changes as necessary, and provide training as required.

Each Bureau/Organization is responsible for the development, funding, administration, operation and evaluation of its telework implementation plan. Each bureau/operating unit shall provide a copy of its telework implementation plan to OHRM prior to the plan's implementation. No such plan shall be implemented without the prior OHRM approval.

Approving officials authorize participation in the telework program. Approving officials are responsible for documenting approval/disapproval decisions and the rationale for such decisions, for each employee request to participate in the telework program. Upon request, approving officials are required to provide to OHRM documented approvals and disapprovals to allow monitoring of the program for consistency among approving officials.

Supervisors are responsible for the overall management and success of teleworking within their work units, including day-to-day operations, modifications to individual telework agreements to meet mission needs or changing circumstances, and maintaining records and information necessary for evaluation of the program.

Principal and servicing human resources managers are responsible for providing advice and assistance to client organizations on the telework program.

REPORTING REQUIREMENTS

Periodically, bureaus and operating units will be required to report to OHRM on the status and success of their telework programs. As a minimum, organizations will be expected to furnish data on the number of employees eligible to participate in telework and the number actually participating.

IDENTIFYING JOBS AND DUTIES SUITED FOR TELEWORK

Although many positions are suitable for telework, the new law recognizes that not all aspects of all jobs can be performed at alternate work sites. Each organization must identify the positions that are suitable for telework as well as those positions that, when considered in their entirety, are not.

Work suitable for telework depends on job content, rather than job series or title, type of appointment, or work schedule. But even jobs not entirely suited for telework may contain duties that can be performed at an alternate work site either on a regularly scheduled or episodic basis.

General Services Administration guidelines identify several tasks and functions generally suited for telework include. These include, but are not limited to:

- thinking and writing;
- policy development;
- research;
- analysis (e.g. investigating, program analysis, policy analysis, financial analysis);
- report writing;
- telephone-intensive tasks;
- computer-oriented tasks (e.g. programming, data entry, word processing, web page design); or
- data processing, in cases in which the security of data can be adequately assured.

Positions not generally eligible for telework are those positions, as determined by the management of each organization, involving tasks that are not suitable to be performed away from the traditional worksite, including tasks that:

- require the employee to have daily face-to-face contact with the supervisor, colleagues, clients, or the general public in order to perform his or her job effectively, which cannot otherwise be achieved via email, telephone, fax or similar electronic means;
- require daily access to classified information;
- involve the construction/installation, maintenance, and/or repair of Commerce facilities,
- involve the physical protection of Commerce facilities or employees,
- are part of trainee or entry level positions.

SELECTING TELEWORK PARTICIPANTS

Basic Eligibility Requirements. Although the approving official has decision authority, an employee and supervisor should work together to determine if telework is appropriate. An employee may be authorized to telework if:

- The immediate supervisor certifies that sufficient duties or work activities can suitably be performed at an alternate work site;
- For a five level performance management system, the employee's most recent performance appraisal is "Commendable" or "Outstanding," his/her record of attendance shows no pattern of leave abuse or excessive absence, as determined by the organizational unit, and the immediate supervisor certifies that no additional factors, as described below, preclude the employee from entering into a telework agreement.
- For a pass/fail performance management system, the employee's most recent performance appraisal is "Meets or Exceeds Expectations" or "Eligible" depending upon the system, and in the performance of his/her duties, the employee consistently meets performance plan objectives in terms of quality and quantity of work, demonstrates a high level of proficiency in solving problems as they arise, and produces high quality written products which are unambiguous and convincing. The employee must also demonstrate a high level of reliability in following supervisory and organizational policies and procedures in the performance of assigned duties. As for the five level performance management system, the employee's record of attendance shows no pattern of leave abuse or excessive absence, as determined by the organizational unit, and the immediate supervisor certifies that no additional factors, as described below, preclude the employee from entering into a telework agreement.
- The employee signs a written telework agreement.

Additional Factors for Consideration. In determining if telework is appropriate, bureaus and operating units should establish additional factors to augment the basic eligibility requirements. These factors must be identified in the telework implementation plan. Examples of additional factors are:

- Conduct. Is the employee's conduct considered acceptable? A record of misconduct does not necessarily prevent an employee from teleworking but it can be considered when the nature of the misconduct may cast doubt on the employee's ability to successfully work at an alternative work site. For example, an employee with a history of unauthorized absences or leaving the work site without permission may not be a suitable candidate for telework.

- Supervision. Is the employee capable of working without close supervision? Telework may not be suitable for employees in developmental or on-the-job training assignments which require close monitoring.
- Organization and time management skills. Is the employee effective in setting work priorities and meeting deadlines?
- Contact with others. Does the employee need to have face-to-face contact with the supervisor, other employees, clients, or the general public?
- Immovable material. Does the employee need access to material that cannot be moved from the regular workplace?
- Facilities and equipment. Is the bureau/operating unit capable of providing special equipment or facilities necessary for the employee to telework? Would it be costly for the organization to duplicate the same level of security at the alternate workplace?
- Other. Does the employee need to be in the office to learn the organization? Will telework adversely affect the performance of the employee who teleworks or his or her coworkers?

AUTHORIZED TELEWORK ARRANGEMENTS

The Department authorizes two types of telework arrangements, based on a realization that organizational and employee needs vary considerably and should be addressed on a case-by case basis. Some employees may desire or need only occasional periods of work place flexibility, while others may wish to telework for longer periods under regularly scheduled arrangements. The intent is to provide individual supervisors and employees with flexibility in establishing arrangements that are responsive to unique work and personal situations. DOC employees may request one of the following telework arrangements:

- **Intermittent or Episodic** - Approved telework performed on an occasional, one-time, or irregular basis. (Telework of less than one day per pay period is considered ad hoc.)

- **Regularly Scheduled** - Approved telework where the eligible employee regularly works at least one day per bi-weekly pay period at an alternate work site.

TELEWORK AGREEMENTS

Approved telework participants must sign a telework agreement before participating in telework. A copy of the signed telework agreement will be provided to the person(s) responsible for maintaining telework records in the organization. For employees who telework on an intermittent basis, a separate agreement for each telework episode is not necessary if the employee has signed an agreement to telework on an intermittent basis. Individual telework agreements must be renewed at least annually.

The telework agreement (see the sample Telework Application and Agreement on page 15) covers the terms and conditions of the telework arrangement. It also constitutes an agreement by the employee to adhere to applicable guidelines and policies. The telework agreement covers items such as the voluntary nature of the arrangement; duration of the telework agreement; hours and days of duty at each work site; responsibilities for timekeeping, leave approval and requests for overtime and compensatory time; performance requirements; proper use and safeguards of Government property and records; and standards of conduct.

ESTABLISHING THE WORK SCHEDULE

For telework arrangements established on a regularly-scheduled basis, each telework agreement shall provide for a minimum number of days in the office. Employees are required to spend at least part of the week in the conventional office to minimize isolation and communication problems, facilitate integration of the teleworking employee with co-workers in the conventional office, and attend required meetings, unless specifically exempted in writing by the agency head.

Work schedules identify the days and times the employee will work in each work setting. Normally, work schedules will parallel those at the regular work site but can be structured to meet the needs of participating employees and their supervisors. The process of establishing work schedules permits periodic adjustments to achieve an optimal schedule which can meet organizational requirements and suit employee needs. Work schedules may also include fixed times during the day for supervisor/employee telephone conversations. Establishing such times may be helpful to ensure ongoing communication. Electronic mail and voice mail offer additional supervisor/employee communications options.

HOURS OF DUTY, TIME AND ATTENDANCE AND PAY, AND OTHER MISCELLANEOUS ISSUES

Hours of Duty. Normally, employees who telework will work the same schedules that they work in the regular office. Work schedules may be changed with supervisor approval and in accordance with

established procedures. Completely unstructured arrangements where employees work at the alternative work site at will are not permitted. For additional information on hours of duty, consult the DOC Leave Handbook at [http://ohrm.doc.gov/information/handbook/leave\(toc\).htm](http://ohrm.doc.gov/information/handbook/leave(toc).htm).

Certification and Control of Time and Attendance. Proper monitoring and certification of employee work time is critical to the success of the program. The General Accounting Office guidelines regarding employees at remote sites require that agencies establish a time accounting method that provides the supervisor with reasonable assurance that employees at remote sites are working when scheduled. Some approved techniques mentioned, which could be applicable to telework arrangements, include: occasional supervisory telephone calls or e-mails to an employee during times the employee is scheduled to be on duty; occasional visits by the supervisor to the employee's alternative work site; and determining reasonableness of work output for time spent.

Overtime Work. In accordance with DOC pay policy, overtime must be approved in advance to preclude any unintended liability for premium pay. Employees who telework must have prior supervisory approval to work beyond their normal hours of duty. Failure to obtain supervisory approval may result in the termination of the telework arrangement. For additional information on overtime, consult the DOC Premium Pay Manual at <http://ohrm.doc.gov/information/handbook/premium.htm>.

Leave. Procedures for requesting leave remain unchanged. Employees are responsible for obtaining leave approval in advance and keeping timekeepers informed of leave usage. For additional information on leave, consult the DOC Leave handbook at [http://ohrm.doc.gov/information/handbook/leave\(toc\).htm](http://ohrm.doc.gov/information/handbook/leave(toc).htm).

Workplace Environment. Any employee participating in telework is expected to perform his/her duties and responsibilities at the telework location at a proficiency level equal to or greater than when performed onsite and work for the entire time period scheduled. Consequently, it is critical that the alternate work-site be free from distractions and the employee free from obligations which would impair his/her ability to provide the same time and level of attention to the work product as when onsite.

Dependent Care. No telework arrangement is authorized which entails the employee providing of day care to any individual.

Emergency Conditions. Although a variety of circumstances may affect individual situations, the principles governing administrative leave, dismissals, and closings remain unchanged. If the employing organization announces an early dismissal due to inclement weather to allow employees to return home safely and the employee is working at a GSA Telecenter, the employee will follow the dismissal procedures of the Telecenter. If the employee is working at home when an early dismissal due to inclement weather is announced, the employee shall exercise discretion as to whether (s)he is capable of continuing work for the rest of the regularly scheduled shift. On a "snow closing day," employees who telework will be excused if the regular office is excused. When the employing organization announces an early dismissal of employees for non-emergency conditions such as on the day prior to a

Federal holiday, employees who telework will be excused. When an emergency affects only the alternate workplace for a major portion of the workday, the employee is expected to report to the regular office or request supervisory approval of annual leave, compensatory time, credit hours if on a flexible work schedule, or leave without pay. When an employee knows in advance of a situation that would preclude working at the alternate workplace, the employee must either come to the regular office or request leave. For additional information, consult the DOC Leave Handbook at [http://ohrm.doc.gov/information/handbook/leave\(toc\).htm](http://ohrm.doc.gov/information/handbook/leave(toc).htm).

Workers' Compensation. Employees who telework are covered by the Federal Tort Claims Act or the Federal Employees Compensation Act and qualify for continuation of pay or workers' compensation for injuries or illnesses sustained while performing their official duties.

This is one reason that it is vital that a specific authorized work location must be identified in advance and adhered to by the employee. (See further discussion below in "FACILITIES AND EQUIPMENT ISSUES.")

The supervisor's signature on the request for compensation attests only to what the supervisor can reasonably know, whether the event occurred at the conventional work site or at an alternative work site during official duty. Under normal circumstances, supervisors are often not present when an employee sustains an injury. Employees, in all situations, bear responsibility for informing their immediate supervisor of an injury at the earliest time possible. They must also provide details to the Department of Labor when filing a claim.

Telework arrangements for employees who currently are receiving continuation of pay or workers' compensation can help put them back to work and take them off the workers' compensation rolls. Also, supervisors may be able to find work that such employees are able to perform at home, or restructure existing work so that some of it may be completed at home.

Duty Station. For pay purposes, the "official duty station" is the employee's conventional office. The teleworking employee's official duty station serves as the basis for determining special salary rates.

FACILITIES AND EQUIPMENT

Home Alternative Office. In the employee's home, a specific work location for performance of work-at-home duties must be identified and authorized in advance. Requirements will vary depending on the nature of the work and the equipment needed to perform the work. At a minimum, employees should be able to easily communicate by telephone with the supervisor, coworkers and serviced clients during the work-at-home day. In addition, employees are responsible for verifying and ensuring that their home work areas comply with health and safety requirements (see the sample Safety Checklist on page 19). Home work areas must be clean and free of obstructions, in compliance with all building codes, and free of hazardous materials. An employee's request to telework may be disapproved or rescinded based on safety problems or the presence of hazardous materials. A supervisor or

designated safety official may inspect the home office for compliance with health and safety requirements when deemed appropriate.

Government-owned Equipment. Bureaus and operating units will establish their own procedures regarding the purchase or transfer and installation of Government-owned equipment for its employees who telework. Bureaus/operating units are under no obligation to provide Government-owned equipment to their employees solely for the purpose of teleworking. Government-owned equipment is to be used only for official business and the Government retains ownership and control of the hardware, software and data. In these situations, the Government is responsible for the maintenance, repair, and replacement of such equipment. Teleworking employees must notify their supervisors immediately of any malfunction of Government-owned equipment.

Only hardware and software configuration procured by the Government and authorized by the approving official for the telework agreement should be installed on the Government-owned computers. Under no circumstances will employees be allowed to add non-Government owned or unauthorized hardware or software to the Government-owned computer.

Computer Software Copyrights. Where individual license agreements allow for computer software to be installed on multiple computers, as long as only one is in use at any given time, employees may install Government-licensed computer software on the home office computer to perform official work. Each software manufacturer's license agreement's terms must be examined on a case by case basis to determine whether or not this is permissible by the operating unit Chief Information Officer who will consult with the Office of General Counsel on the interpretation of any license. This will reduce out-of-pocket expenses for the employee, while expanding the nature of work that may be performed at the home alternative office.

If the teleworking employee is using his or her personal computer equipment at home, the employee is responsible for the purchasing, servicing, and maintenance costs associated with that equipment. The Government will not reimburse employees for such costs.

For official Government business only and specific to the telework arrangement, appropriated funds may be used to pay for telephone line installation and monthly service charges for telephone, cable, or ISDN lines in the private residence of teleworking employees. Bureaus are under no obligation to provide funds for such installation and monthly service charge. However, the Government cannot pay for installation or monthly services charges for a single telephone, cable, or ISDN line that will be used for both Government and personal business purposes. Government calling cards may be used by teleworking employee to make long distance telephone calls to conduct official government business.

The teleworking employee is expected to pay for all costs incurred in operating an alternative office at home. As a consequence, the following represent cost issues for employees electing to work at home:

- The government will not reimburse employees for home utility costs associated with working at home.
- If the employee furnishes his or her own workstation at home, the government will not reimburse the employee for the purchasing costs. In addition, the employee is responsible for the maintenance, repair, and replacement of such equipment. Note: A typical workstation requires the following: 1) a personal computer; 2) a modem; 3) telecommunications software; 4) Internet service; 5) Internet browser software; 6) anti-virus software; and 7) general purpose software (e.g. word processing, spreadsheet, and presentation graphics software).

Telecenters. Authorized telecenters are those established by GSA. For a fee (per work station, per month, and depending on location), employees will have access to a wide array of up-to-date equipment, including modular work stations, a telephone with local and FTS 2000 service, a high speed computer with a color monitor and modem, laser printer, facsimile machine, multi-function copier, conference and storage space.

Each bureau will establish procedures to consolidate and manage requests for work stations within the Federal Telecenters and establish one agreement per Bureau for all its operating units. Payment to GSA will be made by the Bureau from one account with individual offices providing reimbursement. All costs must be absorbed within allocated operating budgets.

A listing of GSA Telework Centers can be found at <http://hydra.gsa.gov/pbs/owi/tclist.htm>.

PRIVACY ACT, SENSITIVE OR CLASSIFIED INFORMATION

Decisions regarding the proper use and handling of sensitive data, as well as records subject to the Privacy Act, will be made by the individual supervisors who permit employees to work at home. Care must be taken to ensure records subject to the Privacy Act and sensitive non-classified data are not disclosed to anyone except those who are authorized access to perform their duties. Classified data may not be removed from employees' official work sites to off-site locations.

TELEWORKING INFORMATION TECHNOLOGY SECURITY POLICY

Teleworkers are responsible for following the Department's Information Technology Security Program Policy, Remote Access Security Policy and Minimum Implementation Standards, all applicable policies contained in the Department's Information Technology Management Handbook, and his/her operating unit's teleworking information technology (IT) security policies to maximize the security of the information and systems under their control. Departmental IT policies are available at <http://www.osec.doc.gov/cio/ITMHweb/ITMHWEB1.html>. The workplace and workstation must be set up to afford secure information processing, including the proper storage of sensitive information in both electronic and paper form. The teleworker, following operating unit policies, must minimize security vulnerabilities to the workstation and the DOC network.

Supervisors are responsible for ensuring that teleworkers agree to follow the security practices outlined in the operating unit's teleworking IT security policies.

The Department's Chief Information Officer (CIO) is responsible for issuing and maintaining policies and minimum implementation standards for remote access security, which includes access to IT systems required for telework. These policies and minimum implementation standards outline responsibilities of CIOs as well as teleworkers to enable an effective working environment for the teleworker and the protection of Department systems from undue risk. Operating unit CIOs, with the support of their IT security officers, are responsible for establishing teleworking IT security procedures specific to their operating unit and providing secure telecommuting resources and operational controls commensurate with the sensitivity of the data processed, consistent with policies and minimum implementation standards provided by the Department's CIO.

PREPARING FOR THE TELEWORK ARRANGEMENT

The following actions are to be taken when establishing a telework arrangement:

- The interested employee submits a completed application to the immediate supervisor (see sample Telework Application and Agreement on page 15).
- The employee and supervisor discuss the proposed telework arrangement and the type of work to be done by the employee at an alternative work site.
- If a suitable arrangement is reached, the employee and supervisor complete the sample Telework Application and Agreement and the self-certification safety checklist if the alternate work site is in the employee's home (see pages 15 through 21).
- The telework agreement is signed by the employee, immediate supervisor and the telework approving official.
- Information required for accessing the secured operations of the conventional office is obtained.
- Depending on whether the alternative work site is the employee's home or a Federal Telecenter, one of the following actions will be necessary:
 - o** To use a GSA Federal Telecenter, arrangements must first be made to:
 - Tentatively reserve a work station for the employee at the desired telecenter.

- 0 If the employee will use his/her home equipment, arrangements must be made to:
 - Borrow software installation disks (or CDS) and installation instructions for installing on the employee's personal computer at home (if software package's licensing agreement allows).

TELEWORK TRAINING

Training sessions on the basics of the DOC Telework Program will ensure a common understanding of its requirements. At a minimum, participating employees must attend a telework training session which outlines their role and responsibilities in the telework arrangement prior to participation. Supervisors must attend a training session which addresses determining position and employee eligibility for telework and employee and supervisor roles in the telework arrangement. The format of the training and manner of delivery will be determined by the organization and the servicing human resources office.

The applicant voluntarily agrees to work at the approved alternate workplace indicated above and to follow all applicable policies and procedures. The applicant recognizes that the telework arrangement is a privilege, not a right.

Salary and Benefits

The supervisor and applicant agree that a telework arrangement is not a basis for changing the applicant's salary or benefits.

Official Duties

The applicant agrees not to conduct personal business while in an official duty status at the alternate work place (for example, caring for dependents or making home repairs are prohibited). Furthermore, the applicant agrees that telework is not a substitute for childcare, and that he or she will make appropriate arrangements for childcare as necessary to provide for a minimum of interruptions during the workday.

Time and Attendance

The supervisor agrees to certify bi-weekly the time and attendance for hours worked at the regular office and the alternate workplace and to make sure that the applicant's timekeeper has a copy of the applicant's work schedule. The employee may be required, at the supervisor's election, to complete a self-certification form.

Leave

The applicant agrees to follow established office procedures for requesting and obtaining approval for leave.

Overtime

The applicant agrees to work overtime only when approved in writing and in advance by the supervisor, and understands that claimed overtime work without such approval may result in termination of the telework privilege.

Alternate Workplace Costs

The employee understands that the Government will not be responsible for any operating costs that are associated with the use of the employee's home as an alternate work site, for example, home maintenance, insurance or utilities. The employee also understands that any entitlement to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute or regulation, is not relinquished by this agreement.

Equipment/Supplies

The employee agrees to protect any government-owned equipment and to use the equipment only for official purposes. Should the agency agree to provide government-owned equipment to the employee for the purposes of telework, they may install, service and maintain such equipment, as necessary. The employee agrees to install, service, and maintain any personal equipment used. The agency agrees to provide the employee with all necessary office supplies and also reimburse the employee for business-related long distance telephone calls.

Security

The applicant agrees to follow all existing security policies and procedures, including information technology security. The applicant certifies that (s)he has read and agrees to comply with the Department's Remote Access Security Policy and Minimum Implementation Standards and supplemental operating unit remote access implementation guidance. The applicant agrees to access the Office of the Chief Information Officer website periodically such that (s)he will ensure cognizance of current information technology security policies and procedures. The Title 13 data, Privacy Act data, and other sensitive or classified data may not be accessed or used from the alternate workplace. Remote access to Lotus Notes will be granted, as needed.

Liability

The applicant understands that the government will not be held liable for damages to his/her personal or real property while (s)he is working at the approved alternate workplace, except to the extent the government is held liable under the Military Personnel and Civilian Employees Claims Act and the Federal Tort Claims Act.

Alternate Work Site Inspection

The employee agrees to permit the Government to inspect the alternate work site during the employee's normal working hours to ensure proper maintenance of Government-owned property and conformance with safety standards. This is in addition to the self-certification that the employee must complete.

Work Area

An applicant working at home agrees to provide a designated work area adequate for performance of official duties.

Injury Compensation

The applicant understands that (s)he is covered under the Federal Employees Compensation Act if injured in the course of actually performing official duties at the alternate workplace. The applicant agrees to notify his/her supervisor immediately of any accident or injury that occurs at the alternate workplace and to complete any required forms. The supervisor agrees to investigate such a report as soon as possible.

Work Assignments/Performance

The employee agrees to complete all assigned work according to guidelines and standards in the employee performance plan. The applicant and supervisor agree to exercise good communication skills and work cooperatively to obtain a common understanding of expectations and desired results, and set reasonable and measurable objectives for work to be accomplished. The employee agrees to provide regular reports if required by the supervisor to help judge performance. The employee understands that a decline in performance may be grounds for terminating or modifying the telework arrangement.

Disclosure

The applicant agrees to protect government records from unauthorized disclosure or damage and will comply with requirements of the Privacy Act of 1974, 5 USC 552(a).

Standards of Conduct

The applicant agrees that (s)he is bound by official standards of conduct while working at the alternate workplace.

Cancellation

The applicant understands that the organization may cancel the telework arrangement and instruct him/her to resume working at the office. If the applicant elects to voluntarily withdraw from the program, (s)he is expected to give sufficient notice so that arrangements can be made to accommodate his/her return to a regular work schedule and (s)he must complete the Telework Termination Form.

Compliance with This Agreement

The employee’s failure to comply with the terms of this agreement may result in the termination of this agreement and the telework arrangement. Failure to comply also may result in disciplinary action against the employee if just cause exists to warrant such action.

Term

Unless canceled or terminated earlier by either the employee or the employer, this agreement shall expire on _____, unless renewed by agreement of the employee and the employer.

Applicant’s Certification

By signing this agreement, the applicant certifies that (s)he has read the terms of this agreement and agrees to follow the policies and procedures outlined in them as well as all other applicable policies and procedures:

Applicant’s Signature

Date

Supervisor’s Certification

By signing this agreement the immediate supervisor of the employee certifies that the position of the applicant is suitable for telework and that the applicant is personally eligible for telework.

Supervisor’s Signature

Date

Section II (To be completed by the approving official)

The application and agreement are:

- Approved as written
- Approved with the following modification:
- Disapproved for the following reason(s):
 - 0 Work not suited to telework
 - 0 Need for office coverage
 - 0 Employee is in a developmental assignment or position
 - 0 Alternate work site does not conform with safety requirements
 - 0 Employee failed to attend required training on telework
 - 0 Employee does not meet personal eligibility requirements
 - 0 Employee's work requires heightened supervision and/or oversight
 - 0 Other (please specify):

Approving Official's Signature

Date

SAMPLE SAFETY CHECKLIST

Note: This checklist is to be completed only if the proposed alternate workplace is located in a private residence.

This checklist is designed to assess the overall safety of the designated work area of the alternate workplace. Each applicant should read and complete the self-certification safety checklist. Upon completion, the checklist should be signed and dated by the applicant and submitted to the immediate supervisor.

Applicant:

Telephone:

Location of alternate workplace:

Telephone:

Describe the designated work area:

A. Designated work area:

1. Are all stairs with four or more steps equipped with handrails?

Yes No N/A

2. Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service?

Yes No N/A

3. Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, loose wires, flexible wires running through the walls, exposed wires fixed to the ceiling)?

Yes No N/A

4. Will the building's electrical system permit the grounding of electrical equipment?

Yes No N/A

5. Are aisles, doorways, and corners free of obstructions to permit visibility and movement?

Yes No N/A

6. Are file cabinets and storage closets arranged so drawers and doors do not open into walkways?

Yes No N/A

7. Are the chair casters (wheels) secure and the rungs and legs of the chair sturdy?

Yes No N/A

8. Are the phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard?

Yes No N/A

9. Is the office space neat, clean, and free of excessive amounts of combustibles?

Yes No N/A

10. Are floor surfaces clean, dry, and level?

Yes No N/A

11. Are carpets well-secured to the floor and free of frayed or worn seams?

Yes No N/A

12. Is there sufficient light for reading?

Yes No N/A

B. COMPUTER WORKSTATION (IF APPLICABLE)

13. Is your chair adjustable?

Yes No N/A

14. Do you know how to adjust your chair?

Yes No N/A

15. Is your back adequately supported by a backrest?

Yes No N/A

16. Are your feet on the floor or fully supported by a footrest?

Yes No N/A

17. Are you satisfied with the placement of your Visual Display Terminal (VDT) and keyboard?

Yes No N/A

18. Is it easy to read the text on your screen?

Yes No N/A

19. Do you need a document holder?

Yes No N/A

20. Do you have enough leg room at your desk?

Yes No N/A

21. Is the VDT screen free from noticeable glare?

Yes No N/A

22. Is the top of the VDT screen eye level?

Yes No N/A

23. Is there space to rest the arms while not keying?

Yes No N/A

24. When keying, are your forearms close to parallel with the floor?

Yes No N/A

25. Are your wrists fairly straight when keying?

Yes No N/A

By signing this document, the applicant certifies that all of the above applicable questions were answered in the affirmative or, if answered in the negative, that the applicant will take all necessary corrective actions to eliminate any hazard (as revealed by a negative response) before (s)he begins to telework.

Applicant's Signature

Date

SAMPLE TELEWORK TERMINATION FORM

The telework option is a privilege and not an employee right but rather falls under the supervisor's discretion to determine how work should be accomplished with the organization. Termination from the telework agreement can be either voluntary or involuntary.

This is notification that the telework agreement which was signed on _____ is no longer in effect and is hereby terminated.

Termination is based on (Please check one):

- Voluntary Withdrawal
- Involuntary Withdrawal

If involuntary terminated, this decision was based on:

- Requirements of the Current Work Assignment
- Reassignment or Change in Duties
- Lack of Office Coverage
- Failure to Maintain Employee Eligibility Standards
- Other (Please Specify):

Receipt Acknowledged

Employee's Signature

Date

Supervisor's Signature

Date

